

REMARKS

Upon entry of the Amendment, Claims 1-3 are all the claims pending in the application.

Claim 4 is canceled.

Reconsideration and review of the claims on the merits are respectfully requested.

Formal Matters

Applicants appreciate that the Examiner has considered and returned an initialed copy of the Information Disclosure Statement filed November 21, 2003.

Claim Rejections - 35 U.S.C. § 102

Claims 1-4 are rejected under 35 U.S.C. § 102(e) as assertedly being anticipated by Kitano et al. (US 6,569,950) for the reasons given in the Office Action.

The Examiner cites Kitano as disclosing a modified polypropylene resin comprising melt kneading (A) 100 parts resin, (B) 0.1-20 parts of unsaturated carboxylic acid or derivative as anticipating Applicants' compound having an epoxy group and an unsaturated bond, and (C) 0.01 to 20 parts organic peroxide, where the working examples assertedly contain all the limitations of Claims 1, 2 and 4 except for the use of a component (B) within the claimed scope.

However, the Examiner states that preferred embodiments of component (B) are stated to be glycidyl acrylate and glycidyl methacrylate, and such clear disclosure is anticipatory within the meaning of 35 U.S.C. § 102, and states that instant Claims 1, 2 and 4 have merely selected an alternative preferred species which is specifically named in the reference.

AMENDMENT UNDER 37 C.F.R. § 1.111

U.S. Application No. 10/635,470

Q76829

Applicants respond as follows.

Applicants amend Claim 1 to further recite that the melt-kneading is carried out in an extruder having a former melt-kneading zone and a latter melt-kneading zone, the temperature in the latter melt-kneading zone being higher than that in the former melt-kneading zone. Support can be found, for example, at page 7, lines 6-9 of the specification as originally filed, and in Claim 4, now canceled. No new matter is added. Entry of the amendment is respectfully requested.

In order to illustrate the new element without limiting the scope of the present invention as defined by the claims, Applicants point to Examples 1-3 in the present specification starting at page 8, which disclose having two separate kneading temperatures of (a) “180°C in the former melt-kneading zone of the extruder” and (b) “260°C in the latter melt-kneading zone thereof”, which satisfies the element where the melt-kneading is carried out in an extruder having a former melt-kneading zone and a latter melt-kneading zone, the temperature in the latter melt-kneading zone being higher than that in the former melt-kneading zone.

On the other hand, the Kitano ‘950 Patent does not disclose or suggest that the melt-kneading is carried out in an extruder having a former melt-kneading zone and a latter melt-kneading zone, the temperature in the latter melt-kneading zone being higher than that in the former melt-kneading zone. More specifically, the Kitano ‘950 patent discloses one single kneading temperature in a range of “from 50 to 300°C, preferably from 100 to 250°C” (column 5, lines 51-53), and gives an examples of “200°C” (Examples 1 and 2).

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For the foregoing reason, the Kitano '950 Patent fails to anticipate each and every element of Applicants' claimed invention. As Claims 2-3 depend on Claim 1, the Kitano '950 Patent likewise fails to anticipate these claims for at least the same reason given above.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(e).

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

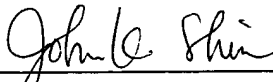
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